

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NEW YORK

RISEBORO COMMUNITY PARTNERSHIP INC.,
formerly known as RIDGEWOOD BUSHWICK
SENIOR CITIZENS COUNCIL, INC.,

Plaintiff,

- against -

SUNAMERICA HOUSING FUND 682, A
NEVADA LIMITED PARTNERSHIP; SLP
HOUSING I LLC; and 420 STOCKHOLM STREET
ASSOCIATES LP,

Defendants.

SUNAMERICA HOUSING FUND 682, A
NEVADA LIMITED PARTNERSHIP and SLP
HOUSING I LLC,

Third-Party Plaintiffs,

- against -

420 STOCKHOLM CORP.,

Third-Party Defendant.

Case No.: 18-cv-07261-RJD VMS

**NOTICE OF MOTION FOR SUMMARY JUDGMENT
OF DEFENDANTS SUNAMERICA HOUSING FUND 682,
A NEVADA LIMITED PARTNERSHIP AND SLP HOUSING I LLC**

PLEASE TAKE NOTICE that, upon the Declaration of Shelby K. Nace, Esq., sworn to on February 14, 2020, together with the exhibits attached thereto, the Local Rule 56.1 Statement attached hereto, the accompanying Memorandum of Law, and all prior pleadings and proceedings herein, Defendants SunAmerica Housing Fund 682, A Nevada Limited Partnership (“SHF”) and SLP Housing I LLC (“SLP”) will move this Court, before the Honorable Raymond J. Dearie, at the United States Courthouse for the Eastern District of New York, Brooklyn, New York, for an Order, pursuant to Rule 56 of the Federal Rules of Civil Procedure and Local Rule 56.1, for

summary judgment on the Verified Complaint (ECF No. 3) of Plaintiff Riseboro Community Partnership Inc., in its entirety, on the grounds that there are no genuine issues of material fact to be tried, for summary judgment in favor of Defendants SHF and SLP on their Counterclaim for Declaratory Judgment (ECF No. 25), and for such other and further relief as the Court deems just and proper.

PLEASE TAKE FURTHER NOTICE that, pursuant to the briefing schedule set by the Honorable Raymond J. Dearie by Order dated November 27, 2019, as modified by the Court on January 10, 2020, the parties' initial papers must be served on or before February 14, 2020, and the parties' opposition papers, if any, must be served on or before March 13, 2020, and all briefs subsequently filed with the Court.

Dated: February 14, 2020
New York, New York

Respectfully submitted,

NIXON PEABODY LLP

By: /s/ Shelby K. Nace
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*Attorneys for Defendants and Third-Party
Plaintiffs SunAmerica Housing Fund 682,
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Community Partnership, Inc.*

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CERTIFICATE OF SERVICE

The undersigned attorney hereby certifies that on the 14th day of February a copy of the foregoing Notice of Motion for Summary Judgment with attached Local Rule 56.1 Statement, the Declaration of Shelby K. Nace, Esq. with attached exhibits, and the accompanying Memorandum of Law was served upon the following via email:

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By: /s/ Shelby K. Nace

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